

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x

JERRY SANTOS, as Administrator of the
Estate of ANIBAL MARRERO,

Plaintiff,

MEMORANDUM & ORDER

20-CV-6091 (EK) (VMS)

-against-

THE CITY OF NEW YORK, BILAL ATEES,
SHANTE TERRELL, and TEARLE CONNELL,
All in Their Individual Capacities
and in Their Official Capacities,

Defendants.

-----x

ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Scanlon's Report and Recommendation (R&R) dated March 13, 2023. ECF No. 36. Judge Scanlon recommends that I deny Plaintiff's motion for settlement approval. Neither party has filed objections and the time to do so has expired. Accordingly, the Court reviews Judge Scanlon's recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord *State Farm Mut. Auto. Ins. Co. v. Grafman*, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013).

Having reviewed the record, I find no clear error and therefore adopt the R&R in its entirety. Thus, the motion for settlement approval is denied. Plaintiff is directed to move for approval of the settlement and distribution of settlement

funds in the New York State Surrogate's Court, Kings County.
Further, Plaintiff shall inform this Court of the outcome of
that motion within seven days of the Surrogate's Court's order.

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: September 6, 2023
Brooklyn, New York